DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection [1651–0105]

Agency Information Collection Activities: Application To Use the Automated Commercial Environment (ACE)

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security

ACTION: 60-Day notice and request for comments; extension and revision of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Application To Use the Automated Commercial Environment (ACE). CBP is proposing that this information collection be extended with a change to the burden hours resulting from the addition of a new application for exporters to establish an ACE Portal account. There are no proposed changes to the existing ACE Portal application for imported merchandise. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before February 9, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to: Tracey Denning, Agency Clearance Officer, U.S. Customs and Border Protection, 90 K Street NE., 10th Floor, Washington, DC 20229–1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, at 202–325–0265.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104–13; 44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: Application To Use the Automated Commercial Environment (ACE).

OMB Number: 1651–0105.

Abstract: The Automated Commercial Environment (ACE) is a trade processing system that will eventually replace the Automated Commercial System (ACS), the current import system for U.S. Customs and Border Protection (CBP) operations. ACE is authorized by Executive Order 13659 which mandates implementation of a Single Window for trade. See 79 FR 10655 (February 25, 2014). ACE supports government agencies and the trade community with border-related missions with respect to moving goods across the border efficiently and securely. Once ACE is fully implemented, all related CBP trade functions and the trade community will be supported from a single common user interface.

Currently, ACE is used for imported merchandise by brokers, carriers, sureties, service providers, facility operators, foreign trade zone operators, cart men and lighter men. In order to establish an ACE Portal account, participants submit information such as their name, their employer identification number (EIN) or social security number, and if applicable, a statement certifying their capability to connect to the Internet. This information is submitted through the ACE Secure Data Portal which is accessible at: http://www.cbp.gov/trade/automated.

CBP is proposing to add export functionality to the system which will allow participation from the exporter community. Trade members wishing to establish an exporter account will need to submit the following data elements:

1. Account Type
   a. ACE Portal Account User ID (if applicable)
   b. USPPI (yes/no)
   c. Authorized Agent (yes/no)
   d. Freight Forwarder (yes/no)
   e. FMC License No (if applicable)

2. Company Information
   a. EIN
   b. DUNS
   c. Company Name
   d. Company Address

3. ACE Export Account Owner Information
   a. Name
   b. Date of Birth
   c. Telephone Number
   d. Fax Number
   e. Email
   f. Account Owner address if different from Company Address
FOR FURTHER INFORMATION CONTACT: Maranda Sorrells, U.S. Customs and Border Protection, Office of International Trade, Commercial Targeting and Enforcement, at 202–863–6218 or brokermanagement@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION: Customs broker license and permit cancellations fall under §111.51 of title 19 of the Code of Federal Regulations (19 CFR 111.51) and are voluntarily requested by the customs broker in the event that the broker no longer wants to or cannot conduct customs business. Requests for cancellation of a license or permit are directed to the Port Director of the port through which the license was issued. The Port Director forwards the broker’s written request for cancellation of a license or permit to the Broker Management Branch in the Office of International Trade, requesting that it be canceled. Most often, CBP receives the license cancellation request because the customs broker has retired or the business has dissolved. CBP receives permit cancellation requests when a customs broker has ceased operations in a particular district or has determined that a certain permit is no longer necessary for their business operations. Historically, CBP has published notice in the Federal Register when a customs broker’s license or permit has been cancelled. Publication in the Federal Register is not required by statute or regulation, but rather has been provided by CBP as courtesy notice to the public. See section 641 of the Tariff Act of 1930, as amended (19 U.S.C. 1641), and section 111.51 of title 19 of the Code of Federal Regulations (19 CFR 111.51). Given the ease of access to current information available online and with consideration for the most efficient use of CBP customs broker management resources, CBP will no longer publish notice of customs broker license or permit cancellations pursuant to 19 CFR 111.51 in the Federal Register. Alternatively, CBP will maintain an active customs brokers list at www.cbp.gov as a resource for the public to verify active brokers. When a customs broker submits a license or permit cancellation request to the Port Director of the port through which the license was issued, the request is forwarded to the Broker Management Branch in the Office of International Trade at CBP. The Office of International Trade will then acknowledge the receipt of the cancellation request and provide the customs broker with an appropriate CBP point of contact. The confirmation letter will also be copied to the port through which the customs broker’s license was issued.

While CBP will no longer publish specific notice in the Federal Register reporting customs broker licenses and permits that have been cancelled under 19 CFR 111.51, CBP will continue to publish Federal Register notices for customs broker licenses that have been suspended or revoked pursuant to 19 CFR 111.30, 111.45 and 111.74. CBP maintains an active customs brokers list at www.cbp.gov to provide notice to the public of all active customs broker licenses.


Brenda Smith, Assistant Commissioner, Office of International Trade.